

AMENDMENT TO H.R. _____
OFFERED BY MR. LINCOLN DIAZ-BALART OF
FLORIDA
[to SCHIP Substitute]

Insert at the appropriate place the following:

1 **SEC. _____. OPTIONAL COVERAGE OF LEGAL IMMIGRANTS**
2 **UNDER THE MEDICAID PROGRAM AND SCHIP.**

3 (a) MEDICAID PROGRAM.—Section 1903(v) (42
4 U.S.C. 1396b(v)) is amended—

5 (1) in paragraph (1), by striking “paragraph
6 (2)” and inserting “paragraphs (2) and (4)”; and

7 (2) by adding at the end the following new
8 paragraph:

9 “(4)(A) A State may elect (in a plan amendment
10 under this title) to provide medical assistance under this
11 title, notwithstanding sections 401(a), 402(b), 403, and
12 421 of the Personal Responsibility and Work Opportunity
13 Reconciliation Act of 1996, for aliens who are lawfully re-
14 siding in the United States (including battered aliens de-
15 scribed in section 431(c) of such Act) and who are other-
16 wise eligible for such assistance, within either or both of
17 the following eligibility categories:

1 “(i) PREGNANT WOMEN.—Women during preg-
2 nancy (and during the 60-day period beginning on
3 the last day of the pregnancy).

4 “(ii) CHILDREN.—Individuals under 21 years of
5 age, including optional targeted low-income children
6 described in section 1905(u)(2)(B).

7 “(B) In the case of a State that has elected to provide
8 medical assistance to a category of aliens under subpara-
9 graph (A), no debt shall accrue under an affidavit of sup-
10 port against any sponsor of such an alien on the basis
11 of provision of assistance to such category and the cost
12 of such assistance shall not be considered as an unreim-
13 bursed cost.”.

14 (b) SCHIP.—Section 2107(e)(1) (42 U.S.C.
15 1397gg(e)(1)) is amended by redesignating subparagraphs
16 (C) and (D) as subparagraph (D) and (E), respectively,
17 and by inserting after subparagraph (B) the following new
18 subparagraph:

19 “(C) Section 1903(v)(4) (relating to op-
20 tional coverage of categories of lawfully residing
21 immigrant children), but only if the State has
22 elected to apply such section to the category of
23 children under title XIX.”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 this section take effect on October 1, 2007, and apply to

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- 1 medical assistance and child health assistance furnished
- 2 on or after such date.